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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,903	07/25/2003	Corneliu Dragoi	2003 P 06848 US 01	3471

7590 04/19/2006  
Elsa Keller  
Intellectual Property Department  
SIEMENS CORPORATION  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER

DEMAKIS, JAMES A

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/627,903

Applicant(s)

DRAGOI ET AL.

Examiner

James A. Demakis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Makaran et al.; 5675464.

Makaran et al. disclose a protection system 10 for any type of electric motor 20, which reads on a DC brush and permanent magnet type, to provide protection in the event of a stall or in a reduced speed condition. Motor 20 can be any type of electric motor including AC or DC and an external controller 22 can represent any control system coupled to an electric motor operated by any type of control scheme. System 10 includes a sensor 26 to provide a signal of any type, that can be digital or a DC voltage level which reads on single or multi-speed and/or a voltage level reduced by a resistor; based on the speed of motor 20 to a conditioning and logic circuit 30 and a switching circuit 40, which receives an output signal from conditioning and logic circuit 30 indicating whether a stall or reduced speed condition is present and controls the supply of power to the motor 20 based on the output signal. Conditioning and logic circuit 30 and switching circuit 40 is combined as protection circuit 12; which may be wholly integral to the motor 20 or separate from the motor 20 and may control a relay RL1 to control power to the motor; see Figures 1-3,5 and 2:12-60,3:30-62, 6:6-27. Switching

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circuit 40a includes transistors Q1 and Q2 and a relay RL1, which control the supply of power to motor 20a based on the output signal of timer 37. If the output signal of timer 37 is high, transistor Q1 is turned on, which turns off transistor Q2, deenergizing the relay RL1 (which is coupled to the battery voltage in parallel with diode D4) and opening switch 42a, which interrupts the supply of power (i.e. from the battery voltage) to motor 20a. If the output signal of timer 37 is low, transistor Q1 is turned off and transistor Q2 is turned on by a supply voltage provided through series resistor R6, which energizes relay RL1 and closes switch 42a, maintaining the supply of power to motor 20a. To reset the protection circuit 12 following the detection of a stall or reduced speed condition, the protection circuit 12 must be shut off or cleared before the motor is restarted. In applications where it is desirable, the protection circuit 12 may be provided with a reset switch, through a capacitor discharge circuit.

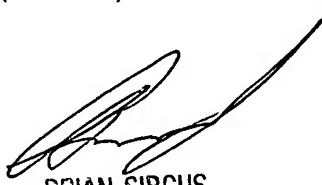
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Demakis whose telephone number is 571.272.2050. The examiner can normally be reached on 7:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on 571.272.2800 ext. 36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James A. Demakis  
April 17, 2006



BRIAN SIRCUS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800